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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,181	01/12/2000	Daniel Esbensen	TOUC.022us2	6651
22798	7590	09/16/2004	EXAMINER	
QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C. P O BOX 458 ALAMEDA, CA 94501			AN, SHAWN S	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 09/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/482,181	Applicant(s) ESBENSEN, DANIEL	
	Examiner Shawn S An	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4,9,10,12-15 and 33-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,9,10,12-15 and 33-43 is/are rejected.
- 7) ☒ Claim(s) 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Request for Continued Examination***

1. The request filed on 7/12/04 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/482,181 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Response to Amendment***

2. As per Applicant's instructions as filed on 7/12/04, claims 5-8, 11, 16-32 have been canceled, and claims 33-44 have been newly added.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 10, 12-15, and 33-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaios (6,271,752 B1) in view of Barraclough et al (6,226,031 B1).

**Regarding claims 1, 3, 33, and 34**, Vaios discloses a method of viewing image data from a camera, comprising:

at the camera, capturing a plurality of still frames, and generating a sequence of image data sets representing perceptible images (Fig. 4, 306);

at the camera, transmitting the sequence to a camera coordinator (12), the coordinator receiving image data set sequences from the camera;

at the camera coordinator, determining, the incident (Fig. 4, 306, 308);

from the camera coordinator transmitting the sequences of image data comprising data sets of interest over a network to an image server, (Fig. 4, 310-314);

storing one or more sequences to an image server (14);  
providing the sequence of data sets from the image server (14) to one or more clients (8) for viewing by an end user (col. 3, lines 17-36).

Vaios does not specifically disclose a plurality of cameras and a remote server.

However, since Vaios already discloses utilizing a camera for surveillance purpose and a server for storing image data sets, it is considered an obvious design choice to simply add on multiple cameras so as to monitor a plurality of areas, and re-locate the server to a place not local to one or more of the cameras.

Furthermore, Barraclough et al teaches a security system, wherein a remote server station connects to a plurality of cameras (col. 1, lines 39-45).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaios to incorporate the well known concept of utilizing a plurality of cameras and a remote server as taught by Barraclough et al, so as to monitor a plurality of areas such as retail shops, and to save recorded image data sets to a safe remote server.

**Regarding claims 2 and 14**, the Examiner takes official notice that it is considered obvious features for an image server to store images in a format designed for still image display, such as well known client browser, and/or designed for a storage of sequences for which incidents were detected for later transmission.

**Regarding claim 10**, it is conventionally well known in a surveillance art for a camera to detect an intruder by comparing a single still frame to a preceding frame.

**Regarding claim 12**, Vaios discloses Internet browsing (6 and 16).

**Regarding claim 13**, Vaios discloses storing the sequence at the camera coordinator (308).

**Regarding claim 15**, Vaios discloses the image server including a network interface (14) allowing for multiple simultaneous client connections.

**Regarding claim 35**, Vaios discloses the camera coordinator detecting an incident of one or more data sets from a camera (304, 306) and generating security alarms (312).

**Regarding claim 36**, the Examiner takes official notice that a camera coordinator including an interface for sending control signals to one or more cameras to affect camera conditions is well known in the art (Note: Harman et al (4,249,207)).

**Regarding claim 37**, Vaios discloses the camera function comprising a focus (col. 2, lines 45-49).

**Regarding claim 38**, the Examiner takes official notice that rules regarding adjusting tolerance levels for determining if alarm should be transmitted, and/or changing camera characteristic such as brightness of contrast is well known in the art (Note: Harman et al (4,249,207)).

**Regarding claim 39**, Vaios discloses camera coordinator receiving and processing control data from the camera (310).

**Regarding claim 40**, Vaios discloses a control data indicating that a camera detected a differential (motion sensing by detecting frame differences)(304).

**Regarding claim 41**, Vaios discloses transmission of data sets from a camera to a coordinator can be occasioned by detection of difference (alarm sensing) at a controller (304, 306).

**Regarding claim 42**, Vaios discloses nature of pixel change detected and data sets from cameras (304). Further, the Examiner takes official notice that a typical video camera recorders normally comprises the time and the day the image was taken.

**Regarding claim 43**, Vaios discloses the server to control a view of connected clients by creating new windows and directing images to those new windows (Fig. 2).

5. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaios and Barraclough et al as applied to claim 1 above, and further in view of Garland et al (6,144,772).

**Regarding claims 4 and 9**, Vaios and Barraclough et al do not specifically disclose generating a sequence of digital image data sets at the server comprising a full frame and one or more subsequent differential frames indicating still frames captured at different times, wherein pixels in a differential frame with values within a threshold of a corresponding pixels in a preceding frame are set to transparent.

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However, Garland et al discloses the well known compression encoding of digitized image data sets (Fig. 6) comprising a full frame (616) and computing one or more subsequent differential frame (618) indicating still frames captured at different times, wherein pixels in a differential frame with values within a threshold of a corresponding pixels in a preceding frame are set to transparent (Fig. 8, 818).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaio to incorporate the well known concept as discussed above as taught by Garland et al, so as to simply compute a percentage difference indicating a degree of change from a preceding frame, and further set the threshold in which a percentage change above the threshold as having the incident or a percentage change below the threshold as having no incident (motion) for obtaining a lower bit requirements in an encoding process, thus a high compression for differential frames can be obtained.

#### ***Allowable Subject Matter***

6. Claim 44 is objected to as being dependent upon a rejected base claim 33 but would be allowable: if claim 44 is rewritten in independent form including all of the limitations of the base claim 33. Dependent claim 44 recites the novel features as previously disclosed (previously claim 32) in the final office action.

The art of record fails to anticipate or make obvious the novel features as specified above. Accordingly, if the amendments are made to the claims listed above, and if rejected claims are canceled, the application would be placed in condition for allowance.

#### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Shawn S An** whose telephone number is 703-305-0099. The Examiner can normally be reached on Flex hours (10).

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



SSA

Primary Patent Examiner

9/9/04